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C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 002093

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DEPARTMENT FOR NEA/ELA AND NEA/IPA

E.O. 12958: DECL: 07/09/2018
TAGS: [PREL](#) [KPAL](#) [KWBG](#) [IS](#) [JO](#)
SUBJECT: PALESTINE NATIONAL COUNCIL SPEAKER ZANOUN DEFENDS
PNC PREROGATIVES

REF: A. JERUSALEM 1077

[1](#)B. AMMAN 1374

[1](#)C. AMMAN 600

Classified By: Charge D'Affaires Daniel Rubinstein for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Palestine National Council Speaker Salim al-Zanoun provided his version of the intra-Palestinian political dispute described ref A, in which he was pressured to allow the selection of new members to the PLO Executive Committee without convening the PNC. While his account was not substantively different, he expounded on his reasons for pushing back at key PA leaders, saying he was motivated by a desire to preserve the rule of law (as applies to PLO institutions such as the one he leads) at a time when those institutions have already been weakened by years of inactivity, internal Palestinian divisions, and a lack of progress on the peace front. End Summary.

[1](#)2. (C) PolOff met with Zanoun on July 9 for an update on the latest developments regarding convening the PNC (refs B and C). The PNC Speaker offered his perspective on the efforts by some in the PA, chiefly Yasir Abed Rabbo in his view, to circumvent the PNC in filling the four vacant Executive Committee (ExComm) seats. According to Zanoun, at a meeting of the ExComm several weeks ago, some members requested that the PLO Central Council (PCC, the intermediary body between the PNC and the ExComm) select four new members to fill vacancies left by deceased members, including Yasir Arafat. Zanoun pushed back, arguing this was not the purview of the PCC, but rather of the whole PNC. Abed Rabbo dismissed the question of PNC bylaws, claiming that Zanoun had routinely bent the rules for Arafat. Zanoun said he responded with an example of how he had indeed pushed back at Arafat on such issues, recounting a story whereby Arafat in 1995 had insisted on calling an ExComm meeting without a quorum. Per Zanoun, he balked and the case was referred to the PNC Legal Committee, which ruled against the meeting, a decision subsequently accepted by Arafat.

PLO Legal Committee Weighs In

[1](#)3. (C) Zanoun said that on June 26-27 he convened a meeting of the Legal Committee in Amman (minus members from Gaza who could not make it) to explore the five questions posed at the aforementioned ExComm meeting:

- Does the PCC have the authority to pick new ExComm members?
- Is Article 14(c) of the PLO bylaws operative (i.e, do circumstances warrant an extraordinary PNC meeting, including only the PCC and members from the PA Legislative Council, to choose new ExComm members)?
- Can a Deputy Speaker of the PNC be selected by the PCC without reference to the PNC itself?

- Can the eleven vacant "independent" seats on the PCC be filled by the PCC itself?

- Does the phrase "those who can attend" in Article 14(c) suggest that in a critical situation it is legal for the PNC to convene but exclude many members?

¶4. (C) Per Zanoun, the PLO Legal Committee's interpretations of the bylaws have since been forwarded to PA President/PLO Chairman Mahmoud Abbas (Abu Mazen). All questions were answered in the negative:

- Only the PNC is authorized to select new members of the ExComm.

- Article 14(C) is not operative as the ExComm still has more than two-thirds of its members, and thus can continue to function. In these circumstances, only the PNC can select a new ExComm.

- Selecting a deputy PNC Speaker remains the prerogative of the PNC itself.

- Independent members of the PCC are to be filled through direct election by the PNC.

- The phrase "those who can attend" does not preclude the requirement to invite all PNC members to any PNC session. There can be no arbitrary exclusion of, for instance, those PNC members in the Diaspora.

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Why Does it Matter?

¶5. (C) Zanoun said he understood and agreed with the motivations of senior Palestinian figures, including Abbas, who want to revitalize the PLO institutions - to reinforce the PLO against the Hamas challenge, revalidate the PLO as a representative organization capable of engaging in talks with Israel, and address concerns within the PLO that the organization needs new faces. However, in his view, attempting to strengthen the PLO by denuding its legal foundations of meaning would ultimately just make it weaker. If, for instance, it were agreed that PNC members in Ramallah could make decisions for all, it would generate further internal splits, and there would be hundreds of members in and out of the West Bank who would immediately "take to the streets" to protest their exclusion. "Are we to have first class and second class members?" Zanoun asked rhetorically.

¶6. (C) Zanoun said he has not received a formal reply from Abbas to the decision of the Legal Committee, but that he understands that Abbas will accept the ruling, and is on the verge of calling for preparations to hold a PNC meeting to begin in earnest. Comment: The plan to plan a PNC gathering has been around for some time now, and Zanoun would not offer any predictions over whether and when the meeting would take place. End Comment.
Rubinstein